

1           Frankly, I tried to assure each of you that  
2           this does not open the floodgate, Delegate Gilchrist. It  
3           does not do anything that is out of the ordinary or  
4           unusual in the common modern practice of protecting  
5           property owner's rights.

6           This is not a new concept. It was first recog-  
7           nized in the state of Illinois back in 1870 when it be-  
8           came apparent that the concept of recompensing a person  
9           for damage to his property did not go far enough if it  
10          involved only a physical taking.

11          You must remember we are talking about a bill  
12          of rights, a protection of individuals personal freedoms.  
13          Let us not get away from that idea and let us then start  
14          with the second concept, that the right of eminent domain  
15          is a sovereign right and what we are doing is limiting  
16          the sovereign from encroaching on individual rights.

17          Now, it has developed over the years, Maryland  
18          being a very slow and conservative state, is one of the  
19          latest states to recognize this, but as public improvements  
20          continue, as more land and property is taken for develop-  
21          ments, there are situations where property is damaged